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Notice of Allowability	Application No.	Applicant(s)
	10/807,722	HIYAMA ET AL.
	Examiner	Art Unit
	Tho v. Duong	3753
The MAILING DATE of this communication appeal All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIOF the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this apport or other appropriate communication IGHTS. This application is subject to	plication. If not included i will be mailed in due course. <b>THIS</b>
1. $igwedge$ This communication is responsive to <u>12/23/05</u> .		
2. X The allowed claim(s) is/are 2,4-5 and 10.		
3. Acknowledgment is made of a claim for foreign priority una) All b) Some* c) None of the:  1. Certified copies of the priority documents have 2. Certified copies of the priority documents have 3. Copies of the certified copies of the priority documents have International Bureau (PCT Rule 17.2(a)).  * Certified copies not received:  Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONM THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.  4. A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give 5. CORRECTED DRAWINGS (as "replacement sheets") must (a) including changes required by the Notice of Draftspers 1) hereto or 2) to Paper No./Mail Date  (b) including changes required by the attached Examiner's Paper No./Mail Date  Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in the such as the such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in the such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in the such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in the such as the	e been received. e been received in Application No cuments have been received in this of this communication to file a reply IENT of this application.  itted. Note the attached EXAMINER es reason(s) why the oath or declara st be submitted. son's Patent Drawing Review ( PTO s Amendment / Comment or in the Co 84(c)) should be written on the drawing.	national stage application from the complying with the requirements  'S AMENDMENT or NOTICE OF tion is deficient.  948) attached  Office action of the back) of
DEPOSIT OF and/or INFORMATION about the depo- attached Examiner's comment regarding REQUIREMENT		
Attachment(s)  1. ☐ Notice of References Cited (PTO-892)  2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)  3. ☑ Information Disclosure Statements (PTO-1449 or PTO/SB/0 Paper No./Mail Date 8/29/05	6. ☐ Interview Summary Paper No./Mail Dat	te
4. Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. ⊠ Examiner's Stateme  9. □ Other	Tho v Duong Primary Examiner

Primary Examiner
Art Unit: 3753

## **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Brenda O. Holmes on 3/13/06.

The application has been amended as follows:

In claim 10, at line 18, before, "of the second separated body", 'length' has been deleted and -- width-- has been inserted.

In claim 10, at line 20, before, "of the first separated body", 'length' has been deleted and --width-- has been inserted.

Claims 7-9 have been cancelled.

## Allowable Subject Matter

Claims 2, 4, 5 and 10 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art of record either taken singularly or in combination fails to disclose the claimed limitations and a width of the second separated body in a direction orthogonal to a longitudinal direction of the tube does not exceed a width of the first separated body in the direction orthogonal to the longitudinal direction of the tube.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

## Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tho v. Duong whose telephone number is 571-272-4793. The examiner can normally be reached on M-F (first Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Keasel Eric can be reached on 571-272-4929. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tho v Duong

Primary Examiner

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March 15, 2006